

CITY COUNCIL REPORT



Meeting Date: March 3, 2015
General Plan Element: *Land Use*
General Plan Goal: *Support a diversity of businesses.*

ACTION

Agent and Acquisition of Control Change for The Bevvv 19-LL-2015. To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an Agent and Acquisition of Control Change for an existing Series 6 (bar) liquor license.

OWNER

Intrepid Investments LLC

APPLICANT CONTACT

Randy D Nations

LOCATION

4420 N Saddlebag Trail #100

BACKGROUND

This request is for an Agent and Acquisition of Control Change of a Series 6 (bar) liquor license. This has been a licensed location since 2013 operating as The Derby.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

The applicant is seeking a favorable recommendation on an Agent and Acquisition of Control Change for a Series 6 (bar) liquor license. There will be a change in corporate stock and officers.

STATE GUIDELINES FOR CONSIDERING AN APPLICATION

A.R.S. Section 4-203 F. Granting an Agent and Acquisition of Control Change.

If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the director within thirty business days after the acquisition of control and a list of officers, directors or other controlling persons on a form prescribed by the director. All officers, directors or other controlling persons shall meet the qualifications for licensure as prescribed by this title. On request, the director shall conduct a preinvestigation before the assignment, sale or transfer of control of a license or licensee, the reasonable costs of which, not to exceed one thousand dollars, shall be borne by the applicant. The preinvestigation shall determine whether the qualifications for licensure as prescribed by this title are met. On receipt of notice of an acquisition of control or request of a preinvestigation, the director shall forward the notice within fifteen days to the local governing body of the city or town, if the licensed premises is in an incorporated area, or the county, if the licensed premises is in an unincorporated area. The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. If the director does not receive any protests, the director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control. Any protest shall be set for a hearing before the board. Any transfer shall be approved or disapproved within one hundred five days of the filing of the notice of acquisition of control. The person who has acquired control of a license or licensee has the burden of an original application at the hearing, and the board shall make its determination pursuant to section 4-202 and this section with respect to capability, reliability and qualification.

IMPACT ANALYSIS

Public Safety Division.

Police Department: No Opposition

Code Enforcement: There are no current cases of code violations at this time in relation to the liquor license.

COUNCIL OPTIONS & STAFF RECOMMENDATION

Council Options

The City Council has the option of recommending approval, disapproval or no recommendation to the Arizona Department of Liquor Licenses and Control.

Staff Recommendation

The City of Scottsdale staff has conducted a review and advises that the license request meets the criteria imposed for determining the capability, qualifications and reliability of the applicant.

Next Steps

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration.

RESPONSIBLE DEPARTMENT(S)

Planning and Development Services
Public Safety Division
Economic Vitality Division

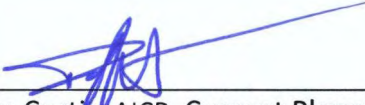
STAFF CONTACTS (S)

Teri Gleason, Planning Assistant, tgleason@scottsdaleaz.gov
Planning and Development Services

James Wasson, Lieutenant, Special Assignment, jwasson@scottsdaleaz.gov
Public Safety Division


Raun Keagy, Neighborhood Planning Director, rkeagy@scottsdaleaz.gov
Planning and Development Services

APPROVED BY



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

2/5/2015
Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

2/11/15
Date

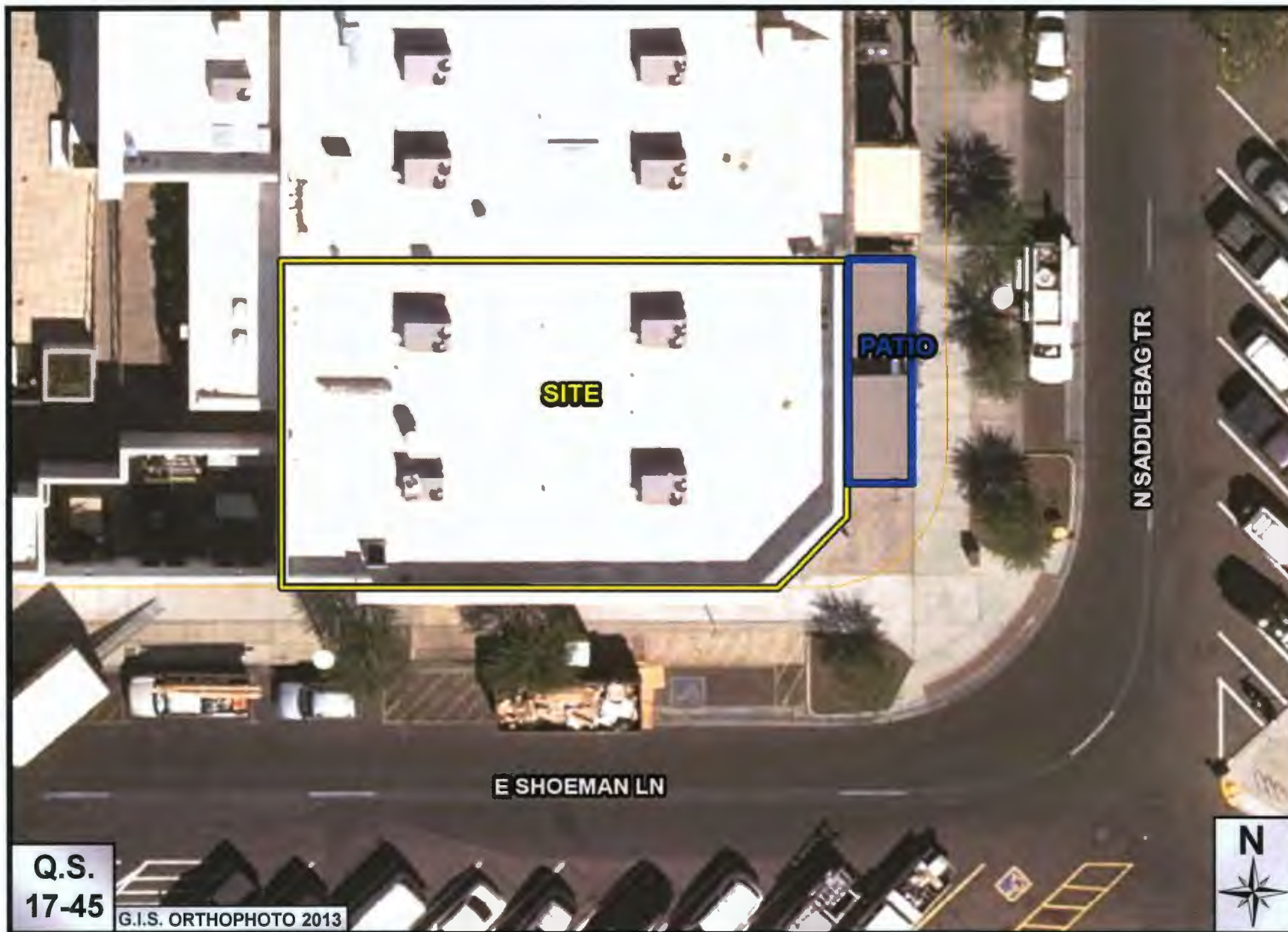
ATTACHMENTS

- #1: Vicinity Map
- #2: Aerial Map
- #3: State Application



19-LL-2015

The Bevvv



19-LL-2015

The Bevvv

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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800 W Washington 5th Floor
Phoenix AZ 85007-2934
www.azliquor.gov
(602) 542-5141

APPLICATION FOR AGENT CHANGE - ACQUISITION OF CONTROL - RESTRUCTURE

Check
Appropriate
Box

☒ Agent Change

Complete Sections 1,2,3,4,6
(See Note 1 on back)

☒ Acquisition of Control

Complete Sections 1,2; (3,4 if changing Agent), 6

☐ Restructure

Complete Sections 1,2,(3,4 if changing Agent), 5,6
(See Note 2 on back)

SECTION 1 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

1. Name (INDIVIDUAL OR EXISTING AGENT (if no agent change) OR NEW AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER)

Nations

Randy

D.

06070414

Last

First

Middle

Liquor License #

2. ☐ Corporation ☒ L.L.C. ☐ N/A: Intrepid Investments LLC Corp. File #: L-1746244-1
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: The Bevvy

4. Business Address: 4420 N. Saddlebag Trail #100 (Exactly as it appears on license)
(Do not use P.O. Box Number) Scottsdale Maricopa 85251
City COUNTY Zip

5. Is the business located within the incorporated limits of the above city or town? ☒ Yes ☐ No

6. Mailing Address: PO Box 2502 Chandler Arizona 85244
City State Zip

7. Business Phone: (480) 999-3311 Residence Phone: (480) 730-2675

8. Does this transaction involve the sale of any portion of the corporate stock? ☒ YES ☐ NO ☐ N/A If yes, submit a certified copy of minutes.

9. Has there been any change of officers? ☒ YES ☐ NO ☐ N/A If yes, submit a certified copy of minutes.

SECTION 2 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

Each person listed in Section II must submit a personal questionnaire (Form LIC0101) and a Department approved fingerprint card which may be obtained at the Dept. A person appearing in both lists need only submit one questionnaire and fingerprint card.

1. List individual owner or partners or all directors, officers in corp., members in LLC:

| Last | First | Middle | Title | Residence Address | City State Zip |
|-----------------------|-------|--------|---------|--|----------------|
| Drake Investments LLC | | | Man Mem | 7753 E. Pleasant Run Scottsdale, Arizona | 85258 |
| LDDHS LLC | | | Man Mem | 5449 E. Mariposa St. Phoenix, Arizona | 85018 |
| | | | | | |
| | | | | | |

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

2. List stockholders or controlling members owning 10% or more of Corp/LLC:

| Last | First | Middle | % Owned | Residence Address | City State Zip |
|-----------------------|-------|--------|---------|--|----------------|
| Drake Investments LLC | | | 40% | 7753 E. Pleasant Run Scottsdale, Arizona | 85258 |
| LDDHS LLC | | | 60% | 5449 E. Mariposa St. Phoenix, Arizona | 85018 |
| | | | | | |
| | | | | | |

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

Disabled individuals requiring special accommodations please call the Department

12/2/2014

Date Received 1/27/2015

CSR

Jesparza

Intrepid Investments
LLC

LDDHS LLC
Managing Member
60%

Drake Investments LLC
Managing Member
40%

Leslie Corieri
Manager

L & D Mustang Limited
Partnership
Member
100%

John Dolan
Managing Member
100%

L & D Mustang
Management Services LLC
General Partner
100%

Leslie Corieri
Managing Member
50%

Diane Michelle Deskin-
Corieri
Managing Member
50%

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SECTION 3

(COMPLETE THIS SECTION FOR AGENT CHANGE)

1. If the corporation/L.L.C. is owned by another entity, ATTACH AN OWNERSHIP AND DIRECTOR / OFFICER / MEMBER **DISCLOSURE** for the parent entity. Attach additional sheets as necessary in order to disclose real people.

As an Agent, will you be physically present and operating the licensed premises? ☐ YES ☒ NO

If you answered YES, you must provide proof of attendance of a Department approved Liquor Law Training Course within the last five years before your application for Agent can be submitted. If "no" a manager with approved training must be submitted.

SECTION 4

(COMPLETE THIS SECTION FOR AGENT CHANGE)

To be completed by the INDIVIDUAL OR EXISTING AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER:

1. License Number: 06070414

Date of last renewal: 01-27-15

2. Current Licensee or Agent: Wierck
(Exactly as it appears on license) Last

Daniel Joseph
First Middle

I, JOHN STEPHAN DOERAN, hereby consent to the appointment of agent for this license.
(Print full name)

I agree to immediately assign a new agent in the event that I am unable to discharge the duties of agent for this license. I have not been convicted of a felony in the last five (5) years.

X [Signature]
(Signature of INDIVIDUAL/ CORPORATE/CLUB OFFICER/MEMBER)

State of ARIZONA County of MARICOPA

The foregoing instrument was acknowledged before me this

9 day of January, 2015
Day Month Year

My commission expires on: 10/2/17

Ashlie Mast
(Signature of NOTARY PUBLIC)

SECTION 5

(COMPLETE THIS SECTION FOR RESTRUCTURE)

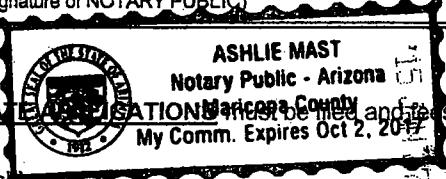
Is there more than one licensed premises involved? ☐ YES ☐ NO If yes, SEPARATE APPLICATIONS must be filed and fees paid for each license/location.

Type of current ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ TRUST
☐ OTHER Explain _____

Type of new ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ TRUST
☐ OTHER Explain _____



SECTION 6 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

To be completed by INDIVIDUAL OR EXISTING AGENT (if no agent change) OR NEW AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER as listed in Question 1 Section 1:

I, JOHN STEPHAN DOERAN, hereby declare that I am the APPLICANT filing this application.
(Print full name)

have read the application and the contents and all statements are true, correct and complete.

X [Signature]
(Signature of INDIVIDUAL OR AGENT)

State of ARIZONA County of MARICOPA

The foregoing instrument was acknowledged before me this

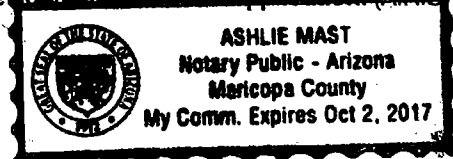
9 day of January, 2015
Day Month Year

My commission expires on: 10/2/17

Ashlie Mast
(Signature of NOTARY PUBLIC)

NOTE 1: The fee for an agent change MUST be submitted with this application: \$100.00 for the first application and \$50.00 for each additional application, not to exceed \$1,000.00. (A.R.S. 4-209.H)

NOTE 2: The \$100.00 fee for restructure/acquisition of control MUST be submitted with this application. (A.R.S. 4-209.A)



SECTION 3 (COMPLETE THIS SECTION FOR AGENT CHANGE)

1. If the corporation/L.L.C. is owned by another entity, ATTACH AN OWNERSHIP AND DIRECTOR / OFFICER / MEMBER DISCLOSURE for the parent entity. Attach additional sheets as necessary in order to disclose real people.

As an Agent, will you be physically present and operating the licensed premises? ☐ YES ☐ NO

If you answered YES, you must provide proof of attendance of a Department approved Liquor Law Training Course within the last five years before your application for Agent can be submitted. If "no" a manager with approved training must be submitted.

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1. License Number: _____ Date of last renewal: _____

2. Current Licensee or Agent: _____
(Exactly as it appears on license) Last First Middle

I, _____, hereby consent to the appointment of agent for this license.
(Print full name)

I agree to immediately assign a new agent in the event that I am unable to discharge the duties of agent for this license. I have not been convicted of a felony in the last five (5) years.

State of _____ County of _____

X _____ The foregoing instrument was acknowledged before me this

(Signature of INDIVIDUAL/ CORPORATE/CLUB OFFICER/MEMBER)

_____ day of _____, _____
Day Month Year

My commission expires on: _____

(Signature of NOTARY PUBLIC)

SECTION 5 (COMPLETE THIS SECTION FOR RESTRUCTURE)

Is there more than one licensed premises involved? ☐ YES ☐ NO If yes, SEPARATE APPLICATIONS must be filed and fees paid for each license/location.

Type of current ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ TRUST
☐ OTHER Explain _____

Type of new ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ TRUST
☐ OTHER Explain _____

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I, _____, hereby declare that I am the APPLICANT filing this application.
(Print full name)

have read the application and the contents and all statements are true, correct and complete.

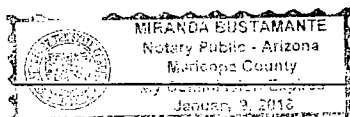
State of _____ Arizona _____ County of _____ Maricopa

X _____ The foregoing instrument was acknowledged before me this

(Signature of INDIVIDUAL OR AGENT)

_____ day of _____, _____
Day Month Year

My commission expires on: _____



(Signature of NOTARY PUBLIC)

NOTE 1: The fee for an agent change MUST be submitted with this application: \$100.00 for the first application and \$50.00 for each additional application, not to exceed \$1,000.00. (A.R.S. 4-209.H)

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